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In re Application of  
PUSL et al.  
Application No.: 10/031,832  
PCT No.: PCT/EP00/03235  
Int. Filing Date: 11 April 2000  
Priority Date: 20 July 1999  
Attorney Docket No.: 112740-523  
For: TERMINAL AND METHOD FOR  
COMPRESSING AND/OR DECOMPRESSING  
MESSAGES RECEIVED OR TO BE SENT

NOTIFICATION

This application is before the PCT Legal Office for consideration of matters arising under 35 U.S.C. 371.

**BACKGROUND**

On 11 April 2000, applicant filed international application PCT/EP00/03235 which designated the US and claimed a priority date of 20 July 1999. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 25 January 2001. A Demand for international preliminary examination, in which the United States was elected, was filed on 11 September 2000, prior to nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 22 January 2002 (20 January 2002 being a Sunday and 21 January 2002 being a Federal holiday).

On 22 January 2002, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the basic national fee.

On 28 March 2002, the United States Designated/Elected Office mailed a NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495 (Form PCT/DO/EO/903) which accorded a 35 USC 371(c)(1), (c)(2), and (c)(4) date of 22 January 2002.

On 26 August 2004, a first Office action on the merits was mailed.

On 22 April 2005, a Notice of Abandonment was mailed indicating that the application was abandoned for failure to timely file a proper reply to the Office action mailed 26 August 2004.

#### **DISCUSSION**

On 22 January 2002, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, *inter alia*, an English-language translation of the international application, a declaration of the inventors, and the basic national fee. The transmittal letter requested that the application papers be processed as the national stage application of international application PCT/DE00/03235. However, the international filing date, priority date claimed, and title listed on this transmittal letter do not correspond to PCT/DE00/03235.

A review of the application file, as well as a review of the USPTO file for PCT/DE00/03235, reveals that the indication of international application PCT/DE00/03235 was incorrect, and that the present application should in fact be the national stage application of international application **PCT/EP00/03235**.

If applicant intended the instant application to be the national stage application of an international application other than PCT/EP00/03235, applicant must notify the Office of PCT Legal Administration *immediately*.

#### **CONCLUSION**

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

The application remains abandoned.



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